

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

**JFE-04-1218**

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.55)

**10/509469**INTERNATIONAL APPLICATION NO.  
PCT/JP03/10060INTERNATIONAL FILING DATE  
07 August 2003 (07.08.03)PRIORITY DATE CLAIMED  
09 August 2002 (09.08.02)

## TITLE OF INVENTION

METAL MATERIAL FOR FUEL CELL, FUEL CELL USING THE SAME AND METHOD FOR PRODUCING THE MATERIAL

## APPLICANT(S) FOR DO/EO/US

Shinsuke Ide, Shin Ishikawa, Kenji Takao, Osamu Furukimi, Kunio Fukuda and Atsushi Miyazaki

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 C.F.R. 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; margin-top: 5px;">10/509469</div>		INTERNATIONAL APPLICATION NO. PCT/JP03/10060		ATTORNEY'S DOCKET NUMBER JFE-04-1218	
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1080.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$920.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$770.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$730.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).....\$100.00 <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	21 - 20 =	1	X \$18.00	\$ 18.00	
Independent claims	2 - 3 =	0	X \$86.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 938.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. +					
<b>SUBTOTAL =</b>				\$ 938.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 938.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 978.00	
				<b>Amount to be refunded:</b>	\$
				<b>charged:</b>	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$978.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 50-2719 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2719. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card              information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
<div style="text-align: center;">         T. Daniel Christenbury, Reg. No. 31,750     </div>					
<b>Customer No. 035811, whose contact information is:</b> <b>IP Department of Piper Rudnick LLP</b> <b>One Liberty Place, Suite 4900.</b> <b>1650 Market Street</b> <b>Philadelphia, PA 19103</b> <b>(215) 656-3381</b>					

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit :  
Examiner :  
Serial No. :  
Filed : Herewith  
PCT No. : PCT/JP03/10060  
PCT Filed : August 7, 2003  
Inventors : Shinsuke Ide  
          : Shin Ishikawa  
          : Kenji Takao  
          : Osamu Furukimi  
          : Kunio Fukuda  
          : Atsushi Miyazaki  
Title : METAL MATERIAL FOR FUEL CELL, FUEL  
       : CELL USING THE SAME AND METHOD  
       : FOR PRODUCING THE MATERIAL

Customer No.: 035811

Docket No.: JFE-04-1218

Confirmation No.:

Dated: September 28, 2004

**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**37 CFR 1.10  
EXPRESS MAIL CERTIFICATION**

"Express Mail" mailing label number: EV 525096184 US

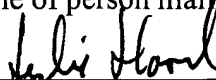
Date of Deposit: September 28, 2004

DESCRIPTION OF CONTENTS: Postcard, \$978.00 Check, Application Transmittal Letter, in duplicate, Form PTO-1390, in duplicate, English translation of PCT Application as filed, including 44 pages of Specification, 7 pages of Claims, 1 page Abstract and 2 sheets of Drawings, Application Data Sheet (2 pages), a Preliminary Amendment, copies of the Request (6 pages), Forms PCT/IB/301, 304 and 308, the first page of WO 2004/015156 A1 and the International Search Report, an Information Disclosure Statement with Form PTO-1449, an executed Combined Declaration, Power of Attorney and Petition, a Recordation Form Cover Sheet - Patents Only and a copy of an executed Assignment.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to **Mail Stop PCT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Leslie Hood

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

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APPLICATION TRANSMITTAL LETTER**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We submit herewith for filing in the U.S. Patent and Trademark Office an English translation of the above-identified PCT Application as filed, including 44 pages of Specification, 7 pages of Claims, 1 page Abstract and 2 sheets of Drawings, Application Data Sheet (2 pages), a Preliminary Amendment, copies of the Request (6 pages), Forms PCT/IB/301, 304 and 308, the first page of WO 2004/015156 A1 and the International Search Report, an Information Disclosure Statement with Form PTO-1449, an executed Combined Declaration, Power of Attorney and Petition, a Recordation Form Cover Sheet - Patents Only, a copy of an executed Assignment, Form PTO-1390, in duplicate, and our check in the amount of \$978.00, comprising the official filing fee and recording fee.

Respectfully submitted,



T. Daniel Christenbury  
Reg. No. 31,750  
Attorney for Applicants

TDC:lh  
(215) 656-3381